IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE SHRI JUSTICE R.SUBHASH REDDY
WRIT PETITION No. 21912 of 2006

Dated 6th November, 2006

Between
G.Channa Basappa

… Petitioner

And

The Additional Project Coordinator,
Sarva Siksha Abhiyan (SSA), Mahabubnagar
and three others.

… Respondents.

ORAL ORDER:

In this writ petition, the petitioner seeks by way of mandamus to declare the action of the 3rd respondent – Mandal Educational Officer, Utkur Mandal, Mahabubnagar District, in granting the contract relating to the construction of two additional class rooms in Zilla Parishad High School, Chinna Porla village, Utkur Mandal, Mahabubnagar District as illegal, arbitrary and violative of the minutes of the review meeting held on 9.9.2006 under the Scheme of SSA 2006-2007.

It is the case of the petitioner that he is the elected Sarpanch and is also the Chair-person of the School Managing Committee, in view of the provisions of Ordinance No.9 of 2006 viz., the Andhra Pradesh School Education (Community Participation) (Amendment) Ordinance, 2006. It is stated that the work of construction of two additional class rooms in Zilla Parishad High School, Chinna Porla

village, is taken up under Sarva Siksha Abhiyan scheme for the year 2006-07 and as per the guidelines of the said scheme, the works can be allotted to Sarpanch of Gram Panchayat or any other social worker in consultation with the M.E.O. But, contrary to the same, the said work is allotted to a defeated candidate.

Merely because the petitioner is an elected Sarpanch, he has no vested right in the award of works and as per the scheme itself, it is stated that it can be allotted to Sarpanch or any other social worker. In any event, though the petitioner has alleged that the work is awarded to the defeated candidate, he is not made a party to the writ petition. In that view of the matter and in view of the fact that the construction itself is only for two rooms and the work has already been awarded to a third party, who is not a party to this writ petition, I do not find any ground to interfere with the same in exercise of the power under Article 226 of the Constitution of India.

The writ petition, therefore, is dismissed. No costs.

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6.11.2006

R.SUBHASH REDDY, J.

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